

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: AMARANTH NATURAL GAS
COMMODITIES LITIGATION

This Document Relates To:

ALL ACTIONS

MASTER FILE NO. 07 Civ. 6377 (SAS)
[rel. 07 Civ. 7592 (SAS), 07 Civ. 7181
(SAS), 07 Civ. 7943 (SAS)]

**DECLARATION OF DANIEL J. TOAL IN SUPPORT
OF THE JPMORGAN DEFENDANTS' AMENDED MOTION TO DISMISS**

DANIEL J. TOAL declares under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

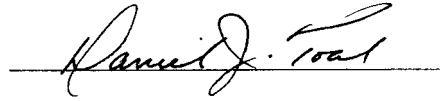
1. I am admitted to practice before this Court and am a partner at Paul, Weiss, Rifkind, Wharton & Garrison LLP, attorneys for defendants JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., and J.P. Morgan Futures Inc. (collectively, "JPMorgan Defendants"). I respectfully submit this declaration in support of the JPMorgan Defendants' Amended Motion to Dismiss.

2. I hereby certify that the JPMorgan Defendants have complied with Rule III.B of the Individual Rules and Procedures of Judge Shira A. Scheindlin.

3. Attached hereto as Exhibit A is an excerpt of a true and correct copy of a report of the United States Senate Permanent Subcommittee on Investigations, entitled, *Excessive Speculation in the Natural Gas Market*, dated June 2007.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 23, 2008 at New York, New York.

A handwritten signature in black ink, reading "Daniel J. Toal", is written over a horizontal line.

Daniel J. Toal